

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

(RB 7559)

EDWARD CARTER, FRANK FIORILLO, KEVIN,
LAMM, JOSEPH NOFI, and THOMAS SNYDER,

DECLARATION

CV 07-1215 (SJF) (ETB)

Plaintiffs,

-against-

INCORPORATED VILLAGE OF OCEAN BEACH,
MAYOR JOSEPH C. LOEFFLER, JR., individually
and in his official capacity, former mayor NATALIE K.
ROGERS, individually and in her official capacity,
OCEAN BEACH POLICE DEPARTMENT, ACTING
DEPUTY POLICE CHIEF GEORGE B. HESSE,
individually and in his official capacity, SUFFOLK
COUNTY, SUFFOLK COUNTY DEPARTMENT
OF CIVIL SERVICE, and ALLISON SANCHEZ,
individually and in her official capacity.

Defendants

X

RUDOLPH M. BAPTISTE, an attorney duly admitted to practice law before this Court
and the Courts of the State of New York, declares as follows:

1. I am an Assistant Suffolk County Attorney with the office of Christine Malafi,
Suffolk County Attorney, and attorney for the County of Suffolk, Suffolk County Civil Service
Department and Allison Sanchez ("County defendants"). As such, I am fully familiar with this
file and submit this declaration in support of County defendants' motion for summary judgment
pursuant to Fed. R. Civ. P. 56 (c).

2. A true and accurate copy of the letter from County of Suffolk, dated July 11, 2006
to plaintiffs' counsel, is annexed hereto as exhibit "F".

WHEREFORE, it is respectfully requested that this Court grant Defendants' motion for summary judgment and for such other and further relief as the Court deems just and proper.

Dated: Hauppauge, New York
January 14, 2010

Respectfully submitted,
CHRISTINE MALAFI
Suffolk County Attorney
Attorney for the County Defendants
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

Rudolph M. Baptiste
By: RUDOLPH M. BAPTISTE (RB 7559)
Assistant County Attorney